

# Investigation reveals fake 'torture stories' about lawyer Xie Yang

Amid all the hype created by four articles published by overseas media about the "torture" of detained Chinese lawyer Xie Yang, investigations by reporters and an investigative team have showed that the accusations were nothing but cleverly orchestrated lies.

Xie Yang, a lawyer in central China's Hunan Province, was put under investigation by police in July 2015 for suspected inciting subversion of state power and disrupting court order, and placed under "residential surveillance in a designated location."

The four stories carried by overseas media between Oct. 11 and Nov. 15, 2016 were entirely fabricated by disbarred Beijing lawyer Jiang Tianyong, 46, who was aiming to cater to the tastes of western institutions and media organizations and to use public opinion to pressure police and smear the Chinese government. The stories were essentially fake news.

## **Imagination-based "torture stories"**

Jiang was detained on Nov. 21, 2016 after attempting to use somebody else's identification card to take train. He was found to be carrying seven mobile phones, 11 SIM cards and seven bank cards.

Police investigations showed that he was also suspected of being in possession of documents that were related to state secrets, and inciting subversion of state power.

He is currently under "coercive measures," which can include summons by force, bail, residential surveillance, detention and arrest.

Jiang confessed that after the Fengrui Law Firm in Beijing was put under police investigation in July 2016, he had been organizing people, including relatives of suspects involved in the case, to carry placards, create disturbances and secure interviews to mislead overseas reporters.

After Xie was detained, Jiang met with Xie's wife, surnamed Chen, in September last year. He incited her to invent Xie's torture stories and post them online.

According to the law, without police approval the defense lawyer could not meet with criminal suspects in custody during an investigation if they were involved in criminal cases including endangering national security, terrorism or serious bribery.

Both Jiang and Chen had not seen Xie during his detention.

However, to convince the public, Jiang gave Chen instructions, telling her:

- Fatigue interrogation must have been used by the police and it was a kind of torture;
- Xie was not a smoker, but the investigators were usually shown on TV as heavy smokers that stay up all night during interrogation, and that they could make up the story of Xie being fumigated with smoke, and this was also a kind of torture;
- Xie had not recovered from a fracture in his right leg before his arrest, and that they could pretend that the investigators tortured him by hurting his injured leg;
- They could pretend Xie was beaten up during interrogation.

Such coaching shows that Jiang was all too aware how people and the media could easily be manipulated for his own criminal ends.

“People could be easily convinced if we mingled the true with the false,” Jiang said. “I later rewrote and polished Chen’s torture story, split it into parts and published them in instalments to arouse sustained attention on Xie’s case.”

Jiang said he also sent the fake stories to “activists” overseas.

#### XIE IN GOOD CONDITION

When the Hunan Provincial People’s Procuratorate learnt about the media reports about Xie, it set up an independent team to investigate.

The team’s report, resulting from an investigation of Xie’s fellow inmates, interrogators, related personnel when he was under residential surveillance, and Xie himself, showed that the, so-called, torture did not happen.

A criminal suspect surnamed Wu, who shared a cell with Xie for three months, said Xie claimed that he was very comfortable when he was held under residential surveillance.

“Xie told me that he had several dishes for each meal and the police dared not to mistreat him,” Wu said.

Xie’s interaction with reporters tells a different tale to the “torture” story: he walked steady, took firm steps and acted naturally during his interview with the reporters; he told reporters that he slept nine hours every day, could get access to essential physical examinations, and was in a good physical condition; he said he enjoyed decent food and clothing and also received clothes and cotton quilts from his family last winter.

He could maintain communication with his family members even when he was under residential surveillance.

A letter sent by Xie’s wife to the police on Jan. 5, 2016, also shows that Xie was treated well.

"You have bought medicine for Xie Yang's leg, passed our letters to each other, which conveyed my, and our child's, yearning for Xie and Xie's yearning for us. This has made us not that lonely in the past half year," she wrote. "I appreciate your people-oriented management of Xie. Although it's not convenient for you to tell me about his case, we know that Xie is safe and comfortable there through his letter."

When the judicial organ told Chen she could meet Xie during his custody, Chen was very happy and sent a note to Xie through the police, saying that she would meet him at 3 p.m. the same day. However, she changed her mind half an hour later.

Jiang said that he persuaded Chen not to meet Xie, because he was afraid this might upset his plan. As a result, Xie has not been able to meet Chen so far.

Confessing his guilt and showing remorse, Jiang said he had created trouble for the police, attacked the Chinese government and smeared the image of the judicial organs.

He also expressed his hope that those who did similar illegal acts would learn a lesson from him and start afresh.

"It's not too late," he said.